

## R E M A R K S

With regard to the application as it presently stands and in light of the following remarks, reexamination and reconsideration are respectfully requested by applicants.

### The Office Action

Claims 1-3, 13-15, and 25-27 stand rejected under 35 U.S.C. §102(b) as being anticipated by Dahlen (U.S. Patent No. 5,870,454).

Claims 4-8 and 16-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dahlen in view of Hamrick (U.S. Patent No. 6,466,653).

Claims 9, 10, 21, and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable Dahlen in view of Shaffer (U.S. Patent No. 5,995,594).

Claims 12 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dahlen in view of Qua (U.S. Patent No. 6,222,909) and further in view of Nabkel (U.S. Patent No. 5,963,626).

### Summary of the Amendments

Claims 1, 3, 4, 13, and 15 have been amended to clarify that which is being claimed in this application. Support for the amendments to these claims may be found throughout the specification. In addition, claims 2 and 14 have been cancelled in view of the these amendments.

### Background

To review briefly, the present application is directed to a system and method for notifying and hearing selected e-mails via a public switch to telephone network. With this novel invention, a party can subscribe to a special service (NHSE) and be notified of selected e-mails and hear the e-mails over the telephone. More specifically, the system employs a service control point (SCP) to receive e-mails from sending parties. The SCP compares the e-mail header information to an NHSE

subscriber list stored in a database. If applicable, the e-mail message is converted to an audio message and transmitted to the subscriber via telephone. The present invention is compatible with public switch telephone networks and requires no additional hardware or software for telephone customers subscribing to this service.

#### The Reference of Record

The primary reference, Dahlen, on the other hand, is directed to a method and apparatus for enabling a voice caller to provide a textual message to a called party. The text messages can be delivered to a single called party or to a distribution list of called parties. More specifically, a switching service point (SSP) recognizes and intercepts a call from a calling party requiring speech/text translation. A service control point (SCP), which receives the intercepted call, issues a prompt-enabling signal and generates a menu of requested information from the calling party. The calling party responds by voice or DTMF signals. A signal is then sent to the speech/text converter, which sets up a connection to receive the voice message and convert it to a text message. The SCP forwards the text message to the called party or parties. Dahlen's focus is on the ability of a calling party to transmit voice messages to a called party on a distribution list. That is to say, Dahlen is for use by calling parties rather than receiving parties.

As noted by the Examiner, an alternative embodiment of Dahlen provides a service of converting text messages to speech messages. See column 9, lines 26-45. However, with this embodiment, the calling party is limited to choosing from a plurality of *prestored* text messages that can be converted to a voice message for distribution. Thus, Dahlen is directed to a very different invention from the present application. The invention of Dahlen would not allow such a subscriber to receive arbitrary e-mail messages in the form of audio messages.

The Present Claims Distinguish Patentably over the Reference of Record

Amended claim 1 is directed to a method of providing to a subscriber an audio message converted from an electronic text message. Dahlen fails to anticipate the invention as claimed. More specifically, claim 1 recites the steps of receiving an arbitrary electronic text message from a sending party specifying a subscriber as the intended recipient of the text message; comparing information in the text message to handling instructions stored in the SCP database for the subscriber; converting text in the text message to an audio message; and transmitting the audio message during the telephone call. Dahlen does not disclose such a method. In particular, Dahlen fails to disclose or teach receiving an arbitrary text message from a sending party, comparing the header information in the text message to stored handling instructions in the SCP database, and routing a converted audio message to a subscriber via a telephone.

The remaining references, when combined with Dahlen as the examiner has suggested, fail to render the claims depending from claim 1 obvious. Accordingly, it is submitted that claim 1 and claims 3-12, which depend therefrom, distinguish patentably over the reference of record.

Claim 13 is directed to a system adapted to provide to a subscriber an audio message converted from an electronic text message. It includes, among other elements, an intelligent network (IN) and a service control point (SCP) that are adapted to receive an arbitrary e-mail message from a sending party which specifies a subscriber as the intended recipient of the e-mail message, with the SCP being further adapted to compare header information in the e-mail message received by the SCP to e-mail handling instructions stored in the SCP database and route the e-mail message to the telephone number specified by the intended subscriber when the handling instructions so indicate. Dahlen fails to teach such a system.

Dahlen fails to expressly teach the invention as claimed. According to MPEP §2131, to anticipate a claim under 35 U.S.C. §102, “the reference must teach every element of the claim” and “the identical invention must be shown in as complete detail as is contained in the . . . claim” and “the elements must be arranged as required by the claim.” (Emphasis added and citations omitted.) In particular, Dahlen fails to show an SCP that is adapted to receive an arbitrary e-mail message, compare e-mail header information to e-mail handling instructions stored in the SCP database, convert the arbitrary e-mail message to an audio message, and route the audio message to the subscriber according to the handling instructions.

The remaining references, when combined with Dahlen as the examiner has suggested, fail to render the claims depending from claim 13 obvious. Accordingly, it is submitted that claim 13 and claims 15-27, which depend therefrom, patentably distinguish over the references of record.

Conclusion

For the reasons set forth above, it is submitted that the present claims patentably distinguish over the references of record. Accordingly, an early indication of allowance is earnestly solicited.

Telephone Interview

In the interest of advancing this application to issue and to compact prosecution, applicants respectfully request that the Examiner telephone the undersigned to discuss any of the foregoing arguments with which there may be some controversy or confusion or to make any suggestions that the Examiner may have to place the case in condition for allowance.

Respectfully submitted,

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